United Nations A/71/646

General Assembly

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Seventy-first session
Agenda items 134 and 149

Programme budget for the biennium 2016-2017

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Review of the United Nations Office to the African Union

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the review of the United Nations Office to the African Union (A/71/551). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses dated 28 November 2016.

I. Background

2. The Secretary-General indicated that his report was submitted pursuant to General Assembly resolution 70/287, in which the Assembly requested the Secretary-General to undertake a comprehensive review of the United Nations Office to the African Union (UNOAU) and to submit his proposals for consideration by the Assembly no later than during the main part of its seventy-first session (A/71/551, para. 1).

3. Section II of the report describes the evolution of the United Nations-African Union Partnership on issues of peace and security and indicates that since its establishment in 2010, UNOAU has redefined and adjusted its priorities in response to the evolving needs of the partnership with the African Union as well as the new demands on its mandate arising from General Assembly and Security Council resolutions. The report states that the UNOAU Head of Office reports to the Secretary-General through the Department of Political Affairs, while on matters relevant to peacekeeping and field support, the Head of UNOAU reports to the

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Secretary-General through the respective Under-Secretaries-General of peacekeeping and field support (A/71/551, paras. 7 and 16).

4. The report indicates that a strategic review in 2013, conducted jointly by the Department of Political Affairs, the Department of Peacekeeping Operations and the Department of Field Support, concluded that UNOAU needed to be strengthened in a number of areas, including expanding and strengthening its political affairs component. A follow-up civilian staffing review in 2015 highlighted the need to align the Office's structure and resources to strengthen the strategic partnership of the United Nations and the African Union and to better align short-term demands to longer-term priorities. The report also states that following the report of the High-level Independent Panel on Peace Operations, a working group composed of representatives from the three departments and from UNOAU was established in 2016 to review the available mechanisms to finance and support African Union peace operations (A/71/551, paras. 21 to 24).

II. Proposals of the Secretary-General

5. The Secretary-General proposes to restructure UNOAU to strengthen strategic coherence with the African Union and its regional economic communities/regional mechanisms; strengthen strategic coordination and partnership with United Nations entities and other partners; and increase operational synergies and provide support in addressing ongoing conflict in Africa (A/71/551, para. 54). Upon enquiry, the Advisory Committee was informed that UNOAU conducts regular briefings with the Peace and Security Council of the African Union and maintains regular contact with individual members of the Peace and Security Council, as well as conducting other meetings with African Union member States. The Committee was also informed that UNOAU is engaged with a range of peacebuilding activities in the six countries on the United Nations Peacebuilding Commission's agenda and provides support to the African Union in its engagement with the Peacebuilding Commission.

6. With respect to its relationship with regional entities, the Advisory Committee was informed upon enquiry that UNOAU works with the regional economic communities and regional mechanisms, through the United Nations subregional presences and political offices as well as the special political missions and peacekeeping operations in Africa, by facilitating coordination, joint analysis and joint missions and by provision of support. The Advisory Committee recalls in this context that it had previously noted that since the establishment of UNOAU in July 2010, the role of the Office and its partnership with the African Union had grown in scale and complexity. It was on that basis that the Committee had recommended that the Secretary-General be requested to undertake the comprehensive review of the Office, including its staffing and funding structure (A/70/837, para. 66), which was subsequently endorsed by the General Assembly in its resolution 70/287.

7. In his report, the Secretary-General proposes a revised UNOAU structure, to take effect from 1 January 2017, which would comprise the Office of the Special Representative of the Secretary-General; a newly established Office of the Deputy Head of Office; an Office of the Chief of Staff to oversee the Administrative Support Section; the Political Affairs Section; and the establishment of the post of Head of the Institutional and Operational Partnership Service to lead the

Operational Planning and Advisory Section and the Mission Support Planning Section (A/71/551, paras. 55 and 56, and annex II).

8. Paragraph 42 of the report states that 60 posts are currently approved for UNOAU, consisting of 6 posts provided under the programme budget for the biennium 2016-2017 and 54 posts under the support account for peacekeeping operations for the 2016/17 period, as well as one Human Rights Officer position approved by the General Assembly in resolution 70/287. Upon enquiry, the Advisory Committee was informed that the funding sources and respective portions of the current UNOAU resources reflect its original establishment in 2010, which integrated the functions of the then United Nations Liaison Office of the Department of Political Affairs (funded from the programme budget), the African Union Peacekeeping Support Team of the Department of Peacekeeping Operations (funded from the support account for peacekeeping operations), the United Nations planning team of the Department of Field Support for the African Union Mission in Somalia (AMISOM) (funded from the budget for financing of support for AMISOM), and the support component of the Joint Support and Coordination Mechanism in Addis Ababa (funded from the budget of the African Union-United Nations Hybrid Operation in Darfur (UNAMID)). The Committee was also informed that any proposed change to the funding sources, programme budget and support account for peacekeeping operations would require a change in the mandate of UNOAU by the Security Council and/or the General Assembly. The Committee was further informed that as an integrated office, UNOAU does not distinguish between the Department of Political Affairs and Department of Peacekeeping Operations work streams, since it is mandated to provide coordinated and consistent United Nations support to the African Union.

9. The proposed post changes comprise the following: the establishment of three posts, 1 D-1 Chief of Staff, 1 D-1 Head of the Institutional and Operational Partnership Service and 1 National Professional Officer Public Information Officer; the abolishment of 5 posts (2 Field Service and 3 national General Service); the redeployment of 4 posts (2 P-4, 1 Field Service and 1 national General Service); and the reassignment of 15 posts (1 D-2, 1 P-5, 6 P-4, 1 P-3, 2 Field Service and 4 national General Service) (A/71/551, para. 64).

10. The proposed new D-1 Chief of Staff would oversee the Administrative Support Section and would be responsible for the internal management and the day-to-day operation of UNOAU, strategic planning and coordination, implementation of organizational policies and procedures, and public information and security planning. The Chief of Staff would also be responsible for ensuring effective communication and reporting within UNOAU and with Headquarters, while working closely with the African Union Commission and liaising with other partners (A/71/551, para. 73). Upon enquiry, the Advisory Committee was informed that the Chief of Staff would ensure the integration and the coordination of the various strategic planning, information sharing and day-to-day management aspects of the work of the Office, in close collaboration with United Nations Headquarters, United Nations entities and partners.

11. The report indicates that the current D-2 Chief of Staff, who performs both the functions of the Chief of Staff and the Deputy Head of Office, would be reassigned as the Deputy Head of Office. According to the Secretary-General, since 2010, those

joint functions have become constrained as the United Nations-African Union partnership has grown in scale and in complexity, and if released from daily management and internal coordination responsibilities, the proposed Deputy Head of Office would be better able to support the Special Representative of the Secretary-General in political engagement with the African Union and provide guidance on political, institutional and operational issues. The proposed new Deputy Head of Office would oversee the Political Affairs Section and the new Institutional and Operational Partnership Service (A/71/551, paras. 67 and 68, and annex II). Upon enquiry, the Advisory Committee was informed that the Deputy Head of Office would work closely with the Special Representative of the Secretary-General on cooperation between the United Nations and the African Union and would coordinate the work of the Political Affairs Section and the Institutional and Operational Partnerships Service in their work and support to the African Union. The Deputy Head would also provide advice and recommend priorities on strategic, policy, political and operational issues.

12. The proposed new Institutional and Operational Partnership Service would be staffed by one D-1 Head of Service overseeing the Operational Planning and Advisory Section and Mission Support Planning Section. It is stated that the new service would provide technical advice and support to the African Union on military and police operations, mine action, security-related matters and mission support and administrative planning, and also liaise with the African Union Commission in operationalizing the necessary financing mechanisms and support processes for the African Union's peace support operations. The proposed Head of Service would engage with senior African Union Commission officials and ambassadors of member States represented in Addis Ababa, and provide senior-level management and strategic and mission management, including for operational tasking and guidance, resource allocation, recruitment and quality control (A/71/551, paras. 87 to 89). Upon enquiry, the Advisory Committee was informed that the D-1 Head of Service would lead ongoing consultations with United Nations Headquarters on peacekeeping-related aspects of the partnership with the African Union and contribute to the development of partnership strategies and workplans with the African Union Commission, while ensuring that there is coherence and coordination between the Operational Planning and Advisory Section and the Mission Support Planning Section in their support to the African Union.

13. **In the light of the respective functions of the proposed D-1 Chief of Staff, D-2 Deputy Head of Office and D-1 Head of the Institutional and Operational Partnership Service, and taking into account the fact that the D-1 Chief of Staff as proposed would oversee only one section (the Administrative Support Section), and that some of the strategic and operational functions to be undertaken by the D-2 Deputy Head of Office would be facilitated by the establishment of the proposed D-1 Head of the Institutional and Operational Partnership Service, the Advisory Committee is of the view that the functions of the Chief of Staff could be performed by the Deputy Head of Office, and recommends against the proposed D-1 Chief of Staff. Any related non-post resources should be adjusted accordingly. The Committee recommends approval of the remaining proposed post changes.**

14. The report indicates that the current proposals do not have any financial implications for the approved programme budget for the biennium 2016-2017, while

resource implications in respect of the support account for peacekeeping operations for the 2016/17 period would amount to a reduction of $38,900 in post resources (gross of staff assessment) (A/71/551, para. 103).

15. The Advisory Committee recalls that by its resolution 2320 (2016) dated 18 November 2016, the Security Council noted the decision of the Secretary-General to conduct an assessment of United Nations-African Union cooperation, as well as the structure and capacity of UNOAU to meet the growing demands for the partnership. The Council requested the Secretary-General to report to it after the completion of the assessment. In his report, the Secretary-General indicated that, depending on the decision of the Council, he might seek to realign the current proposals, which would be presented to the General Assembly for its consideration and approval (A/71/551, para. 3).

III. Conclusion

16. Paragraph 106 of the report sets out the actions requested of the General Assembly. **Subject to its comments and recommendations above, the Advisory Committee recommends approval of the proposed restructuring of the United Nations Office to the African Union. The Advisory Committee also recommends approval of the establishment of 2 new posts (1 D-1 Head of the Institutional and Operational Partnership Service and 1 National Professional Officer), the abolishment of 5 posts (2 Field Service and 3 national General Service), the redeployment of 4 posts and the reassignment of 14 posts under the support account for peacekeeping operations, effective 1 January 2017, as well as the reassignment of the D-2 post approved under section 3, Political affairs, of the programme budget for the biennium 2016-2017.**

United Nations A/71/647–S/2016/1025

General Assembly
Security Council

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General Assembly
Seventy-first session
Agenda item 41
Question of Cyprus

Security Council
Seventy-first year

Letter dated 2 December 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 November 2016, addressed to you by Mehmet Dânâ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 41, and of the Security Council.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative

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Annex to the letter dated 2 December 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 22 November 2016, addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (S/2016/990), which yet again contains false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As for the false assertion regarding "illegally issued ... notices to airmen", it must be underlined that activities within the Ercan advisory airspace that require notices to airmen are carried out by the relevant authorities of the Turkish Republic of Northern Cyprus in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claim in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control. Furthermore, I would like to stress that the allegation regarding the interference of radio frequencies is also totally baseless.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all air and sea ports in Northern Cyprus as "illegal", is in complete contravention of international law, as well as the call made by the then Secretary-General, Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), in which he clearly states, "I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that

have the effect of isolating the Turkish Cypriots and impeding their development, deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)".

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2015 alone, the number of passengers who used Ercan Airport stood at nearly 3,500,000 (compared with 3,250,000 in 2014), while a 7 per cent increase in that number is expected in 2016. Moreover, in 2015, nearly 26,000 planes used Ercan Airport for arrival and departure, and around 210,000 planes used the Ercan advisory airspace, a total that is expected to increase by 7 per cent in 2016. In that respect, it must be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety, in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

At a time when the comprehensive settlement negotiations are at a critical stage, I deem it necessary to stress the need to fully channel all our efforts towards achieving a just and lasting settlement of the Cyprus conflict in line with the established United Nations parameters and the Joint Declaration of 11 February 2014, which envisage a new partnership on the basis of the political equality of the two peoples of the island within the framework of a bizonal, bicommunal federation with two constituent States of equal status. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric, which is not reflective of the joint vision and cooperation expressed by the leaders of both communities on the island since the resumption of the settlement talks in May 2015. As the two future partners on the island of Cyprus, we should never lose sight of the fact that the solution of the Cyprus problem will comprehensively deal with all pending issues between the two sides, and thus focus all our efforts towards the ultimate goal of settlement.

Finally, I would like to reiterate that, as the Turkish Cypriot side, we are committed to maintaining our constructive and positive stance for a results-oriented negotiating process within the context of your good offices mission in Cyprus, and we encourage our Greek Cypriot neighbours to follow a similar path.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus

United Nations A/71/648–S/2016/1027

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Security Council

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General Assembly
Seventy-first session
Agenda item 31
Prevention of armed conflict

Security Council
Seventy-first year

Letter dated 2 December 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to inform you that, on 1 and 2 December 2016, the Ministry of Defence of Ukraine conducted test flights with practice launches of surface-to-air guided missiles from the territory of Ukraine over the territory of Ukraine, its territorial waters in the Black Sea and over the high seas, where Ukraine bears the responsibility for air traffic services, in accordance with international aviation law and multilateral and bilateral agreements approved by the International Civil Aviation (ICAO) Council decision of 17 February 1997 (EUR/NAT96/38-ATS).

In full compliance with international law, the Ministry of Defence of Ukraine announced these test flights in advance. To guarantee safe use of airspace the Ukrainian side issued a notice to airmen regarding the establishment of temporarily dangerous areas in a specified part of the Ukrainian airspace over the Black Sea.

Ukraine announced in a timely manner the closure of air traffic in certain areas of the airspace that are under the sovereignty of Ukraine according to articles 1 and 2 of the Chicago Convention on International Civil Aviation of 1944.

The Ukrainian side did not receive any requests from the Russian side for additional clarifications, as provided for under the Vienna Document 2011 on Confidence- and Security-Building Measures of the Organization for Security and Cooperation in Europe (OSCE).

Instead, the Russian side unlawfully interfered in air traffic control over the Black Sea where Ukraine bears the responsibility for air traffic services, as well as officially threatened to use force against the units of the Armed Forces of Ukraine located on the territory of Ukraine.

The Ukrainian side considers such actions of the Russian side as yet another act of aggression against the sovereignty of Ukraine, a violation of international obligations regarding the territorial integrity of Ukraine, of the inviolability of Ukraine's borders, of the peaceful settlement of disputes, of the non-use of force or

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threat of force as well as of the strengthening of peace and security in the Euro-Atlantic region, as per provisions under the Charter of the United Nations, the Helsinki Final Act of OSCE of 1975, the Memorandum on Security Assurances in Connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons of 1994, the Chicago Convention on International Civil Aviation of 1944, the ICAO Council decision of February 1997 (EUR/NAT96/38-ATS) and other bilateral and multilateral international agreements.

The Ukrainian side has taken comprehensive measures to exclude any threats to civil aviation and to minimize risks created by the Russian Federation.

Ukraine proceeds from the understanding that all responsibility for the threat of use of military force by the Russian Federation against Ukraine as well as possible negative consequences of this threat lie exclusively with the Russian Federation.

I would appreciate your kind assistance in having the present letter distributed as a document of the General Assembly, under agenda item 31, and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

United Nations A/71/649–S/2016/1023

General Assembly
Security Council

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General Assembly
Seventy-first session
Agenda item 61
Peacebuilding and sustaining peace

Security Council
Seventy-first year

Letter dated 2 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a statement released by the spokesperson for the Foreign Ministry of the Democratic People's Republic of Korea on 1 December 2016, with regard to the adoption of the "sanctions resolution" imposed by the United Nations Security Council against the Democratic People's Republic of Korea (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

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Annex to the letter dated 2 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Statement released by the spokesperson for the Foreign Ministry of the Democratic People's Republic of Korea

The United Nations Security Council has adopted a "sanctions resolution" faulting the nuclear warhead explosion test conducted by the Democratic People's Republic of Korea (DPRK) in September 2016.

The DPRK strongly censures and categorically rejects the "sanctions resolution" as another excess of authority and a violation of the sovereignty of the DPRK by the Security Council acting under the instructions of the United States.

The successful test of the DPRK was one of the practical steps taken by it to tackle the nuclear threat and sanctions by the United States and other hostile forces desperately taking issue with the exercise of the right of the DPRK to self-defence, and it is also a demonstration of the toughest stand of the service personnel and people of the DPRK that they are ready to launch a counter-attack in case the enemy makes a provocation.

Many countries, including all the permanent members of the Security Council, have so far conducted thousands of nuclear tests and rocket launches, but the Security Council has never prevented them from doing so.

Obama and his lackeys are sadly mistaken if they calculate that they can force the DPRK to abandon its line of nuclear weaponization and undermine its status as a nuclear power through base sanctions to pressure it.

The DPRK will never deal with them, but will, more dynamically, advance along the road of justice chosen by it.

The "sanctions resolution" that has denied outright the sovereignty of the DPRK and its rights to existence and development will trigger its tougher countermeasures for self-defence.

Sanctions will inevitably escalate tensions, and the United States, the chief culprit of the "sanctions resolution", will be held wholly accountable in case the situation on the Korean Peninsula and in the region is pushed into an uncontrollable phase.